

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
1:15-cv-00399

SANDRA LITTLE COVINGTON, *et al.*
Plaintiffs,
v.
THE STATE OF NORTH
CAROLINA, *et al.*,
Defendants.

FOURTH MOTION FOR
EXTENSION OF TIME IN
WHICH TO RESPOND TO
MOTION FOR ATTORNEYS'
FEES AND COSTS

NOW COME Defendants, pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 6.1, and respectfully move this Court for a 30-day extension of time in which to file their response to Plaintiffs' Motion for Attorneys' Fees and Costs (ECF 255). In support of this Motion, Defendants show the court the following:

1. Plaintiffs, after receiving an extension of time with consent of Defendants, filed their Motion for Attorneys' Fees and Costs on March 22, 2018.
2. By order of the Court entered April 13, 2018 (ECF 259), the time for Defendants to respond to the Motion was extended to May 14, 2018. By a second order of the Court entered May 11, 2018 (ECF 261), the time for Defendants to respond to the Motion was extended to June 13, 2018. By a third order of the Court entered June 14, 2018 (ECF 262), the time for Defendants to respond to the motion was extended to July 13, 2018.

3. The pending Motion for Attorneys' Fees and Costs addresses only fees and costs attributable to the merits portion of this litigation. In a *per curiam* decision issued on June 28, 2018, the Supreme Court affirmed in part and reversed in part the remedial decision of this Court (ECF 242). With that decision of the Supreme Court, the remedial stage of this litigation is now concluded. The parties have conferred and believe that it is in their best interest and in the interests of judicial economy that before further action is taken with regard to the pending Motion for Attorneys' Fees and Costs, Plaintiffs have an opportunity to supplement that Motion to reflect any fees and costs sought with regard to the remedial stage of this case. Counsel for Plaintiffs has represented to the undersigned Plaintiffs' intent to supplement the Motion within 30 days of the date of this motion.

4. Therefore, in order to provide Plaintiffs with an opportunity to supplement their Motion to reflect any fees and costs sought with regard to the remedial stage of this case, Defendants respectfully request that the deadline for their response to the Motion be extended until 30 days after Plaintiffs supplement their Motion. In accordance with Local Rule 6.1, Defendants have consulted with counsel for Plaintiffs, who consent to the extension requested in this motion.

In support of this motion, and in compliance with Local Rule 7.3(j), Defendants submit the accompanying proposed order.

Respectfully submitted, this 13th day of July, 2018.

NORTH CAROLINA DEPARTMENT OF
JUSTICE

By: /s/ Alexander McC. Peters
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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing **FOURTH MOTION FOR EXTENSION OF TIME IN WHICH TO RESPOND TO MOTION FOR ATTORNEYS' FEES AND COSTS** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties with an email address of record, who have appeared and consent to electronic service in this action

This the 13th day of July, 2018.

/s/ Alexander McC. Peters
Alexander McC. Peters
Chief Deputy Attorney General